

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Eun Joo Bae)	
on behalf of herself and all other)	
Plaintiffs similarly situated known and unknown,)	
)	Case No. 15-cv-5782
Plaintiff,)	
v.)	Judge Sharon Johnson Coleman
)	
Seoul Supermarket Inc., and Suk Hui Park)	
)	
Defendants.		

**PLAINTIFF’S PETITION FOR AWARD OF ATTORNEY’S FEES
AND REIMBURSEMENT OF EXPENSES AND COSTS**

Plaintiff, by and through her attorney, Ryan Kim, submits this fee petition for award of attorney’s fees and reimbursement of costs and expenses.

Plaintiff requests that this Court approve an award of attorney’s fees, costs and expenses of \$2,991.00. Plaintiff hereby files this petition for attorney’s fees, expenses and costs pursuant to the order this court granted.

PROCEDURAL HISTORY

This case was filed in this court on June 30, 2015. Instead of filing an Answer, defendants’ counsel filed Motion to Disqualify Plaintiff’s counsel as Attorney for Plaintiff (see docket 9) and Motion to dismiss 1st amended and 2nd amended complaint (see docket 39&46). On March 3, 2016, Defendants’ counsel Sang Shim filed Defendants’ Answer and Counterclaim against Plaintiff Bae alleging that she had defamed them by filing her three complaints in this action. See docket 51. On March 31, 2016, Plaintiff filed Motion to Strike Counterclaim. See docket 55. On April 25, the Court as a sanction for filing frivolous pleading with this Court, ordered “*Sang Shim and the Law Office of Samuel Shim to pay the reasonable attorney’s fees*

and costs that Plaintiff Bae incurred in responding to his frivolous counterclaim and appearing at the show case hearing". See docket 70.

LEGAL STANDARD

The first step in determining the reasonable attorney's fees is to calculate the lodestar – that is, "the number of hours reasonably expended on the litigation times a reasonable hourly rate." *Blum v. Stenson*, 465 U.S. 886, 888 (1984). "[A] 'reasonable' fee is a fee that is sufficient to induce a capable attorney to undertake the representation of a meritorious civil rights case." *Perdue v. Kenny A.*, 130 S. Ct. 1662, 1672 (2010). The Supreme Court had held that "the lodestar method yields a fee that is presumptively sufficient to achieve this objective." *Id.* at 1673. Once the petitioner has proffered an amount he feels is reasonable, an objecting opponent should "compute and suggest" a fee it deems reasonable. *Zaghloul v. DaimlerChrysler Services, Inc.*, 2004 U.S. Dist. LEXIS 19723, at *3 (N.D. Ill. September 29, 2004). There must be a specific and clear basis for any reduction of hours on the basis that they are excessive, redundant, or unnecessary. *Small v. Richard Wolf Medical Instruments*, 264 F.3d 702, 708 (7th Cir. 2001). The spirit of Local Rule 54.3 supports the Supreme Court's admonition in *Hensley* that a fee petition should not result in a second major litigation. *Id.* at *2.

LEGAL FEES AND COSTS

The legal fees and costs are detailed in the Declaration of Ryan J. Kim, attached as Exhibit A. It seeks Court approval of the attorney's hourly rate of \$400.00 for Ryan J. Kim. The requested rate is supported by declarations of attorneys working in the Northern District of Illinois Eastern Division courts and who are familiar with the normal hourly rates for attorneys comparable to Kim. (Exhibit B Laffey matrix). The time expended by the plaintiff's attorney is listed on a daily basis in Exhibit C to the Kim Declaration. The out-of-pocket expenses incurred

in this matter by plaintiffs are \$111.00, which is detailed in the Kim Declaration. Lastly, Kim's Resume is attached as Exhibit D.

CONCLUSION

Petitioner seeks Court approval of the hourly rates of the attorney, \$400.00 for Ryan J. Kim. Petitioner also seeks Court approval of \$111.00 in out-of-pocket expenses. Petitioner seeks approval of \$2,880.00 in attorneys' fees. The total that petitioner seeks in attorneys' fees and costs are \$2,991.00

Respectfully submitted

By: /s/ Ryan Kim
Counsel for the Plaintiff

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